

**WEST MONROE MUNICIPAL FIRE AND POLICE
CIVIL SERVICE BOARD RULES**

RULE I

MEETING OF THE BOARD

- SECTION 1: The board shall hold one regular meeting within each quarterly period of the calendar year, in the months of January, April, July, and October. The board shall hold such special meetings as may be called by the chairperson or as provided in Revised Statute 33:2471 and those that follow.
- SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at West Monroe City Hall Complex.
- SECTION 3: Notice of all meetings, including regular meetings, shall be given by posting such notice in the city hall, not less than five (5) days before the date fixed for such meeting, unless otherwise provided by law. Such notice shall state the time, place, and subject matter to be covered, and whether said meeting is regular or special.
- SECTION 4: Special meetings of the board will be held only upon call of the chairman, or in his absence the Vice-chairman, or as provided by Revised Statute 33:2471 and those that follow.
- SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session as provided for in Revised Statute 42:4,1. Four board members must be present in order to conduct business.
- SECTION 6: All board members must be notified not less than five (5) days preceding all regular board meetings.

RULE II

SUBJECT MATTER OF MEETINGS

- SECTION 1: At regular meetings of the board it shall consider all old and new business which may be brought to its attention in the manner hereinafter provided.
- SECTION 2: At special meetings the board shall consider only those items of business for which the meeting was called, except by agreement of a majority of the board members, other matters may be considered.

RULE III

ORDER OF BUSINESS

SECTION 1: At regular meetings the order of business shall be as follows:

1. Reading of the minutes
2. Special and general reports
3. Decisions and orders on matters considered at previous hearings and meetings.
4. New business.

SECTION 2: At special meetings the order of business shall be as follows:

1. Reading of minutes
2. Decisions and orders on matters considered at previous hearings and meetings
3. Hearing of matters previously fixed for the special meeting.

RULE IV

EXECUTIVE SESSIONS

SECTION 1: The board, if required, will meet in executive session during regular or special meetings, by majority vote when considering those matters which may be discussed under provisions of Revised Statute 42:4.1, (relative to public meetings) and those statutes that follow. Any voting on matters discussed in executive sessions shall be conducted upon return to public meeting.

RULE V

APPLICATION FOR APPEALS AND HEARINGS

SECTION 1: Any person authorized to appeal to the board under the provisions of Civil Service Law may apply for such an appeal by a written notice giving a clear and concise statement of the action complained against, the basis of the appeal, and the relief sought. Application for appeals to the board under the provisions of R.S.33:2501 of Civil Service Law shall be made only by regular employees in the classified service and shall be limited to matters involving discharge, corrective or disciplinary action and the application shall so state. All other request for hearings shall set forth the section of Civil Service Law under which the application is brought and shall contain a

statement of the jurisdiction of the board. All applications for appeals and other hearings must be signed by the applicant or his counsel, if any, and must give the full name and post office address of the appellant and of his counsel. Written notice shall be filed with the chairperson of the board or the board official so designated to receive such applications.

- SECTION 2: No appeal shall be effective unless the above stated notice is filed within fifteen (15) days following the action complained against, or where written notice is given of an action to be thereafter effective, within the fifteen (15) days following the date on which such written notice is given.
- SECTION 3: The secretary of the board shall cause the date of filing to be noted on each notice of appeal and shall file said appeal on the appeals docket, giving the said appeal an appropriate title.
- SECTION 4: Any grievance brought before the Board must be presented by the individual or individuals raising said grievance.

RULE VI

PROCEDURE ON APPEALS

- SECTION 1: All hearings on appeals shall be open to the public.
- SECTION 2: Parties shall have the right, but shall not be required, to be represented by counsel. When any party is represented by more than one attorney, only one attorney for any party shall be permitted to examine the same witness.
- SECTION 3: The rules of evidence as applied in civil trials before the courts of this state need not be strictly complied with, but the board shall limit evidence to matters having a reasonable relevance to the issues before the board.
- SECTION 4: Parties and witnesses shall be subject to cross-examination as in civil trials. The board looks with favor upon stipulations of undisputed facts.
- SECTION 5: The board may, on request of any party or on its own motion, place witnesses other than parties under the rule of the board and thus exclude them from the hearing room.

SECTION 6: Any party desiring the issuance of a subpoena for the attendance of a witness or the production of books or papers must apply for appropriate order, to the board, in writing at least eight (8) days before the time fixed for the hearing.

SECTION 7: The written rules, regulations, and procedures of the civil service board and Revised Statute 33:2471 and those that follow will be the basis of all hearings and appeals.

RULE VII

DISMISSAL OF APPEALS

SECTION 1: If the appellant fails to appear at the place and time fixed for any hearing, his appeal may be dismissed or the board may, in its discretion, continue the case or proceed with the hearing and render its decision upon such evidence as may be adduced at the hearing.

RULE VIII

TRANSCRIPTS OF HEARINGS

SECTION 1: If any party to the hearing desires a permanent transcript of the hearing, the party shall furnish a court reporter for said purpose at their own expense. Where a court reporter is furnished, the original of the transcript shall be filed with the board and shall become part of the permanent record of the appeal. Where no court reporter is furnished, the secretary of the board shall maintain as complete notes as is feasible.

RULE IX

OTHER HEARINGS:

SECTION 1: All other hearings of the board shall be instituted and shall be conducted in accordance with the above and foregoing rules and Civil Service Law in general.

RULE X

APPLICATION FOR ADMISSION TO TEST

SECTION 1: Test for entry upon promotional and competitive employment list shall be advertised for and administered in accordance with R.S. 33:2492 of

Civil Service Law. Test for entrance upon competitive employment list may be given as the needs of the service require as determined by the civil service board. Test for entry upon promotional employment list may be given after existing list is twelve (12) months old and not yet expired and shall be given at least one time during each successive period of eighteen (18) months.

- SECTION 2: Applications for admission to tests on board approved forms, will be received by those individuals designated by the board at any time before final date for receiving applications. Approved applicants will be notified at least five (5) days in advance of the date fixed for the exam. Individuals designated to receive applications will forward such applications to the board secretary and shall be kept as a permanent record of the board in accordance with Civil Service Law.
- SECTION 3: Promotional and competitive employment lists shall be maintained by the board for eighteen (18) months.
- SECTION 4: Admission to tests shall be governed by provisions of R.S. 33:2493 of Civil Service Law.
- SECTION 5: When results of any examination are furnished to the board by the State Examiner, the Chairperson shall forthwith call the board for a special meeting for approval thereof. Employment list shall become effective upon approval of and by a majority of the board and filing of the same by the board with the State Examiner.

RULE XI

DISTRIBUTION OF BOARD RULES

- SECTION 1: A copy of the board rules shall be distributed to each board member, governing body one (1) copy, Police Chief and Fire Chief one (1) copy, and police and fire bulletin boards one (1) copy.
- SECTION 2: A copy of the board rules shall be given on request to an appellant or his counsel prior to a hearing.

RULE XII**LEAVES OF ABSENCE AND BOARD RULES****SECTION 1: Leaves of Absence--Police and Fire****A. Leaves of absence are classified as follows:**

1. Leave of absence with pay
2. Leave of absence without pay
3. Absence without leave and pay

B. Sick leave:

1. Each employee of the classified service shall be entitled to and given, with full pay, sick leave aggregating not less than fifty-two (52) weeks during a calendar year for any sickness or injury or incapacity not brought about by the employee's own negligence or culpable indiscretion. Any employee of the classified service who draws such full pay during sick leave shall have such pay decreased by the amount of workman's compensation benefits actually received by such employee. Classification of leave of absence for the aforementioned will be "Leave of Absence With Pay".
2. Sick leave shall not be used for absences incurred because of attendance to personal affairs. Any employee on sick leave is required to diligently pursue full recovery and any activity which is contrary to this endeavor may be the basis for disciplinary action which could include termination. The Appointing Authority is encouraged to establish written policies necessary to monitor sick leave and to prevent abuse of this benefit, which may include the following: notification prior to duty when calling in sick, situations when doctor(s) excuses are required, and employee conduct while on sick leave.
3. Sick leave is applicable to maternity claims. Maternity leave commences when a doctor certifies that the employee cannot perform all of the duties of her position and light duty within her classification is not available.
4. No cash payment may be made for accumulated sick leave.

C. Funeral Leave

1. Funeral leave in the event of an immediate family member's death shall be authorized without loss of pay or leave time not to exceed three (3) calendar days, except in extenuating circumstances endorsed by the employee's chief.

An employee's immediate family is defined as:

- Spouse
- Parents
- Step parents
- Mother-in-law or Father-in-law
- Brother or Step Brother
- Sister or Step Sister
- Children or Step Children
- Grandparents or Great Grandparents
- Grandchildren

2. Funeral leave for other family members' death shall be authorized without loss of pay or leave time, not to exceed two (2) calendar days, except in extenuating circumstances endorsed by the employee's chief.

Other family members are defined as:

- Spouse's Brother or Step Brother
- Spouse's Sister or Step Sister
- Spouse's Grandparents

3. Funeral leave is authorized for the specific purpose of attending the funeral of the deceased family member. This leave is not intended to be used if the funeral falls on the employee's regular day off.
4. The Appointing Authority is encouraged to establish written policies necessary to monitor funeral leave and to prevent abuse of this benefit, which may include notification prior to duty.

D. Examinations

Each employee of the classified service will be granted "leave of absence with pay" to take any municipal fire and police civil service examination.

Provisional employees are granted "leave of absence with pay" to take a municipal fire and police civil service examination for the class which they hold provisionally.

E. Civil Leave

Absence because of jury duty is "leave of absence with pay." However, the jury notice must be presented to the chief of the department or to the person designated by the chief to receive such notice at least five (5) days in advance of such jury duty. An employee shall be authorized to take leave time when performing jury duty, when subpoenaed to appear before a court, public body, or commission, or when performing emergency or civilian duty in connection with national defense. The city will pay the difference between pay earned for the special duty and the employee's regular pay from the city.

F. City or District Court Attendance

Attendance in city or district court on departmental business is with pay provided that the attendance is ordered by subpoena or other court order. Should any employee of the classified service be required to be in attendance in court on their time off, such time shall be compensated at their normal rate of pay.

Each member of the classified service must present to the chief of the department or the person designated by him, any such notice to appear in court at least five (5) days in advance of such court attendance. Copy of such notice shall also be sent to the board.

G. Military Leave with Pay

Any member of the classified service shall be authorized to take leave without loss of pay, time, annual leave, or efficiency rating on all days during which he/she is ordered to duty with troops or at field exercises, or for instruction, including Inactive Duty Training (IDT) and Active Duty Training (ADT), required by membership of the Officers' Reserve Corps of the Army of the United

States, the National Guard of the United States, the Naval Reserve Corps, the Marine Corps Reserve, the Air Force Reserve, the Citizens Military Training Corps, the Coast Guard Reserve, or the Civil Air Patrol, either as officers or enlisted personnel, in accordance with Table 1.

Members of the classified service shall be entitled to military leave with pay in any one calendar year but such leave shall not be accumulated from year to year. All military leave with pay not used before the end of each calendar year shall be forfeited and shall not be carried forward.

TABLE 1 MILITARY LEAVE WITH PAY PER CALENDAR YEAR	
8 Hour Shift Employees	12 hour and 24 hour Shift Employees
160 hours	240 hours

H. Military Leave without Pay

1. Any member of the classified service, except as provided in number 3, who leaves employment in order to perform voluntary or involuntary service in the uniformed services of the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, reserve military personnel, members of the National Disaster Medical System as specified in federal law, and other category of persons designated by the President in time of war or national emergency, shall be given any leave due the employee in Sub-section G. Should the employee have used all leave to which he/she is entitled (in Sub-section G), he/she shall be granted military leave without pay until he/she returns to duty.
2. Any such employee may request and shall be granted any unused annual leave or compensatory leave. An employee cannot be required to use such leaves of absence.
3. An employee serving in a provisional appointment who is not a regular and permanent employee shall not be granted military leave without pay. He/she shall be required to resign or be separated from the service.

4. A recruit serving in formal training who has been placed on military leave without pay for thirty (30) days or more shall have his/her formal training interrupted for the duration of the military leave. The employee shall resume his/her formal training the day he/she reports to active duty with his/her respective department. The time the employee served in his/her formal training prior to the interruption and the time the employee serves in the formal training after it is resumed will be used in calculating the total time served in his/her formal training. The employee must meet the requirements of R.S. 33:2495.1 prior to beginning his/her working test.
5. A probational employee serving in a working test who has been placed on military leave without pay for thirty (30) days or more shall have his/her working test interrupted for the duration of the military leave. The employee shall resume his/her working test the day he/she reports to active duty with his/her respective department. The time the employee served in his/her working test prior to the interruption and the time the employee serves in the working test after it is resumed will be used in calculating the total time served in his/her working test. The employee must meet the requirements of R.S. 33:2495 prior to confirmation as a permanent employee in his/her respective class.
6. An employee who has his/her formal training or working test interrupted due to military leave shall be made whole at the completion of such periods. The employee's records shall reflect the date he/she would have completed his/her formal training or working test had he/she not been on military leave. The employee's seniority date, if required, shall be adjusted to reflect the date he/she would have begun accruing seniority had he/she not been on military leave.
7. The appointing authority shall report military leaves of absence without pay, interruption of formal training and working test, and resuming the formal training and working test to the board within fifteen (15) days of the effective date of action.

I. Personal Leave without Pay

Each member of the classified service may be granted personal leave without pay not to exceed ten (10) calendar days in any calendar year when no accumulated annual leave has been accrued.

J. Annual Leave - Fire

1. Each member of the classified fire service shall be entitled to annual leave with full pay on January 1st of each year of employment, except as provided in Number 2, in accordance with Table 2. Service must be continuous with the West Monroe Fire Department.
2. Each member of the classified fire service shall be entitled to a pro-rated amount of annual leave on the first January 1st after his/her date of employment with the West Monroe Fire Department. The pro-rated amount shall be based on time employed and in accordance with Table 2. Service must be continuous with the West Monroe Fire Department.

(continued on the next page)

TABLE 2 - FIRE DEPARTMENT ANNUAL LEAVE		
Years of Service	Staff Personnel 40 Hour/Week Hours accrued per calendar year	24-Hour Shift Employees Hours accrued per calendar year
0 to 10 years	144 hours	216 hours
11 years	152 hours	240 hours
12 years	160 hours	240 hours
13 years	168 hours	264 hours
14 years	176 hours	264 hours
15 years	184 hours	288 hours
16 years	192 hours	288 hours
17 years	200 hours	312 hours
18 years	208 hours	312 hours
19 years	216 hours	336 hours
20 years	224 hours	336 hours
21 years	232 hours	360 hours
22 years and more	240 hours	360 hours

3. Members shall not be required to use their annual leave on days that they are not scheduled to work.
4. The annual leave privileges herein provided for shall not be forfeited by any member of the fire department for any cause.
5. The appointing authority has the right to regulate the time at which any employee is granted annual leave as provided in R.S. 33:2497.

K. Annual Leave - Police

1. Each member of the classified police service shall be entitled to annual leave with full pay after having served six (6) months and one (1) year with the West Monroe Police Department in accordance with Table 3.

Table 3 - Police Department Annual Leave		
Service Time	8 hour shift employees Hours accrued	12 hour shift employees Hours accrued
6 months	60 hours	60 hours
1 year	60 hours	72 hours

2. Each member of the classified police service shall be entitled to annual leave with full pay on January 1st of each year following his/her first year of employment in accordance with Table 4. Service must be continuous with the West Monroe Police Department.

Table 4 - Police Department Annual Leave		
Years of Service	8 hour shift employees Hours accrued per calendar year	12 hour shift employees Hours accrued per calendar year
1 to 7 years	120 hours	132 hours
8 to 14 years	168 hours	192 hours
15 years and more	224 hours	252 hours

3. Each member of the classified police service shall be entitled to the additional hours of annual leave on the first day of his/her eighth (8th) and fifteenth (15th) year of service in accordance with Table 4. Service must be continuous with the West Monroe Police Department.
4. Members shall not be required to use their annual leave on days that they are not scheduled to work.
5. The annual leave privileges herein provided for shall not be forfeited by any member of the police department for any cause.
6. The appointing authority has the right to regulate the time at which any employee is granted annual leave as provided in R.S.

33:2497.

L. Administrative Leave with Pay

The Appointing Authority may grant administrative leave with pay for periods not to exceed sixty (60) days when circumstances develop that would warrant the removal of an employee from the department without disadvantage in order for the Appointing Authority to conduct an investigation concerning the conduct of the employee or as may be otherwise required under department policies and procedures. This period may be extended up to an additional sixty (60) day period with prior approval of the board, when circumstances warrant such extension. Administrative leave shall be terminated upon the employee being ordered to return to active duty or upon the Appointing Authority affecting disciplinary action, whichever occurs first.

M. Emergency Family Leave with pay

1. Each member of the classified service may be granted emergency leave of absence with pay for a period not to exceed twenty-four (24) hours per calendar year in the event of an occurrence of a disaster, serious injury, or serious illness within the employee's immediate family or for the birth of the employee's child.
2. A member of an employee's immediate family shall be defined as the employee's spouse, children, stepchildren, parents, stepparents, grandparents, grandchildren, brother, stepbrother, sister, and stepsister.
3. A member of an employee's immediate family shall also be defined as the employee's spouse's children, stepchildren, parents, stepparents, grandparents, grandchildren, brother, stepbrother, sister, and stepsister.

N. Family Medical Leave

1. Notwithstanding the provisions of Subsection 2.b. (Military FMLA Leave):
 - a. Eligibility for FMLA shall be extended to classified employees of the fire and police service who have worked a total of at least 12 months and at least 1,250 hours in the 12 months immediately preceding the commencement of the leave.

- b. A classified employee who is a returning uniformed service member protected under the USERRA shall be eligible if, but for his or her military service, the employee would have worked a total of at least 12 months and at least 1,250 hours in the 12 months immediately preceding the commencement of the leave.
2. a. Regular FMLA Leave - Employees of the classified fire and police service shall be eligible for up to twelve (12) workweeks of unpaid leave due to:
- i. birth and care of eligible employee's child;
 - ii. placement for adoption or foster care of a child with the employee;
 - iii. care of an immediate family member (spouse, child, parent) who has a serious health condition;
 - iv. care of the employee's own serious health condition;
 - v. because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is covered member on active duty or has been notified of an impending call or order to active duty, in support of contingency operation, or;
 - vi. other reasons provided in Public Law 103-3.

Not more than twelve (12) weeks of the combined total may be applied to regular FMLA leave during any single twelve-month period.

- b. Military FMLA Leave - Employees of the fire and police classified service shall be eligible for up to twenty-six (26) workweeks of unpaid leave in order to care for a covered service member with a serious injury or illness, as provided in Public Law 103-3. Such service member shall be defined as:
 - i. a member of the armed forces (including the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a

- serious injury or illness;
- ii. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the armed forces (including the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The combined total of military FMLA leave and regular FMLA leave shall not exceed twenty-six (26) weeks during a single twelve-month period.

3. Spouses employed by the same department shall be limited in the amount of FMLA leave to a combined total of twelve (12) weeks of regular FMLA or twenty-six (26) weeks of military FMLA for the following reasons:
 - a. the birth and care of+ a newborn child
 - b. placement of a child for adoption or foster care
 - c. to care for a patient who has a serious health condition
4. At the discretion of the appointing authority, FMLA may run concurrently with paid leave, as follows:
 - a. Paid sick leave, only when such leave is necessary for the care of the employee's own serious health condition.
 - b. Compensatory and/or paid annual leave, when such leave is necessary for all other FMLA reasons. Compensatory leave shall be exhausted prior to using annual leave.
5. When paid leave is exhausted, an employee shall be entitled to the remaining unpaid FMLA, if any, to which he/she is entitled.
6. Accrual of departmental seniority while on FMLA leave shall continue only when FMLA leave is run concurrently with paid leave. Unpaid FMLA leave shall be served without credit for departmental seniority.

O. Leave for Specialized Disaster Service Volunteer

1. Any employee who is a trained disaster volunteer of the American Red Cross may be granted leave from his regular work assignments, with pay, and without loss of seniority, annual leave, sick leave, or earned overtime or compensatory time accumulation, for any period not to exceed fifteen (15) work days in any twelve (12) month period, to participate in specialized disaster relief services for disasters designated at Level III or above in the American Red Cross Regulations and Procedures.
2. Leave may be granted upon written request of the employee to the appointing authority which shall include certification of the employee as a trained American Red Cross disaster volunteer, the nature and location of the disaster, anticipated duration of the leave, nature of services required, certification by an official of the American Red Cross that the employee's services are needed, and the identity and title of the official of the American Red Cross to whom the employee is to report.

P. Special Leave

Each member of the classified service may be granted special leave of absence, with or without pay, and without loss of seniority, for a period not to exceed one (1) calendar year where such leave is determined to be in the departmental interest.

Before beginning special leave, the employee may be required to first exhaust all accumulated annual and compensatory leave. Such leave shall not be granted in lieu of military leave or other leave of absence, as otherwise provided in these rules. However, special leave of absence may be applied in emergency situations in which employees may be called to serve in a non-military capacity in relation to national defense and homeland security.

Under no circumstances shall such special leave be granted for the purpose of engaging in other employment.

Q. Expiration of Leave

Any member of the classified service who fails to report for duty upon the expiration of any authorized leave shall be considered to be absent without leave and pay and may be subject to disciplinary action, up to and including termination.

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